

REMARKS

By this amendment, the claims 1 and 12-13 have been amended. The amendments are supported by the specification and drawings as originally filed. Claims 1-13 remain in the application. This application has been carefully considered in connection with the Examiner's Action. Reconsideration and allowance of the application, as amended, is requested.

Rejection under 35 U.S.C. §112

Claims 1-13 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant notes the rejection to the claims and in response has amended each of claims 1, 12 and 13 to more particularly clarify that:

data content is stored in the data store,

the at least one token provides a user-readable, visible representation of the data content that is stored in the data store,

representation details, to identify the data content that is stored in the data store, are read from the at least one token,

representation details, to identify user-selectable operations, are recorded on the at least one token, wherein the representation details include user-readable visible information that is optically readable via a user from the at least one token,

the at least one token further being a visible, user-readable, physical feedback representation in tangible form of a corresponding data content that is stored in the data store, and

wherein the at least one token themselves are employed as tangible physical representations that *do not* include the *actual* corresponding *data content* which is *stored remotely from* the at least one token *in the data store*.

In view of the amendments to claims 1, 12 and 13, claims 1-13 are no longer believed indefinite. Withdrawal of the rejection is requested.

Claims 1-13 stand further rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, that is, in reference to means plus function limitations. Applicant notes the rejection to the claims. With respect to the means plus function limitations, it is noted that:

The computing means is illustrated in FIG. 1 and identified by reference numeral 50. More particularly, the computing means comprises a computer interface (CINT) 50. In operation, the computer interface 50 is capable of being instructed by the user presenting the card 80, or similar cards thereto, to the card writer/reader 70 to perform various operations. (See the present specification at least on page 11, lines 11-34 and page 12, lines 1-9).

The data store is illustrated in FIG. 1 and identified by reference numeral 40. In particular, the data store 40 comprises at least one of an optical memory, a high-capacity magnetic hard-disc memory and a solid-state memory. (See the present specification at least on page 11, lines 11-34 and page 12, lines 1-9).

The token interfacing means is illustrated in FIG. 1 and identified by reference numerals 60 and 70 (see the present specification at least on page 11, lines 11-34 and page 12, lines 1-9). In particular, the token interfacing means (60,70) comprises a transducer panel (TRP) 60 and a card writer/reader (KWR) 70 capable of writing and reading data from a removable card (KD) 80. The *transducer panel* 60, presented on an exterior surface of the apparatus 10 accessible to a user of the apparatus 10, is devoid of conventional keyboards and displays which so often render contemporary computer-based equipment so difficult to use for many computer-inexperienced individuals. Also, in operation, the computer interface 50 is capable of being instructed by the user presenting the card 80, or similar cards thereto, to the *card writer/reader* 70 to perform various operations. (See the present specification at least on page 11, lines 11-34 and page 12, lines 1-9).

Accordingly, in view of the above clarification, claims 1-13 are no longer believed indefinite. Withdrawal of the rejection is requested.

Rejection under 35 U.S.C. §101

Claim 13 stands rejected to under 35 U.S.C. §101 as being held to claim an abstract idea, and is therefore rejected as ineligible subject matter. As presented herein, claim 13 has been amended, as appropriate, to be more appropriately directed to “[a] method of providing visible physical feedback for an electronic system ... comprising ... (a) providing, via ... a computing means and a data store coupled to said computing means, at least one of (i) inputting data content to the data store and (ii) outputting data content from the data store, and, via a token interfacing means coupled to said computing means, interfacing to at least one data token detachable from the token interfacing means of the system ... , and (b) performing, via the computing means, a user-selectable operation, in response to ... [a] token being spatially presented to the token interfacing means” The rejection of claim 13 is now believed overcome.

Rejection under 35 U.S.C. §102

Claims 1-3, 5-8 and 11-12 were rejected under 35 U.S.C. §102(b) as being anticipated by Clark et al. (U.S. Pat. No. 5,175,720; hereafter “**Clark**”). Applicant respectfully traverses this rejection for at least the following reasons.

The PTO provides in MPEP § 2131 that

“[t]o anticipate a claim, the reference must teach every element of the claim....”

Therefore, with respect to claim 1, to sustain this rejection the **Clark** reference must contain all of the above claimed elements of the claim. However, as is now presented herein, and contrary to the examiner’s position that all elements are disclosed in the **Clark** reference, the latter reference does not disclose “wherein the at least one token

themselves are employed as tangible physical representations that do not include the actual corresponding data content which is stored remotely from the at least one token in the data store" (emphasis added) as is claimed in claim 1. Therefore, the rejection is not supported by the **Clark** reference and should be withdrawn. Support for the amendments to claim 1 can be found in the specification at least on page 3, lines 19-20; page 5, lines 18-19 and 26-27; page 8, lines 19-20; page 9, lines 14-17, 24-26 and 32-33; page 12, lines 18-29; page 13, lines 26-30; page 14, lines 25-26; page 15, lines 26-30; the Abstract; and FIGs. 1 and 2.

In contrast, the **Clark** reference teaches an interactive optical disk for recording both permanently stored information and user-supplied information on an *optical disk*. In other words, the optical disk acts as a data store that includes both the actual permanently stored data content to be accessed and the user-supplied information. The method of **Clark** also includes *reading* the permanent *and* user-supplied information via *laser beams* having unequal wave-lengths. (emphasis added, see Clark, Abstract). Thus, **Clark** does not disclose "wherein the at least one token themselves are employed as tangible physical representations that do not include the actual corresponding data content which is stored remotely from the at least one token in the data store" (emphasis added) as is claimed in claim 1.

Accordingly, claim 1 is allowable and an early formal notice thereof is requested. The 35 U.S.C. §102(b) rejection thereof has now been overcome. Claims 2-3, 5-8 and 11 depend from and further limit allowable independent claim 1 and therefore are allowable as well. Withdrawal of the rejection is respectfully requested.

Claim 12 has been amended in a manner similar to the amendments to claim 1. Accordingly, for similar reasons as stated with respect to overcoming the rejection of claim 1, claim 12 is believed allowable and an early formal notice thereof is requested. The 35 U.S.C. §102(b) rejection thereof has now been overcome.

Claim 13 was rejected under 35 U.S.C. §102(b) as being anticipated by Clark et al. (U.S. Pat. No. 5,175,720; hereafter “**Clark**”). Applicant respectfully traverses this rejection for at least the following reasons.

Claim 13 has been amended in a manner similar to the amendments to claim 1. Accordingly, for similar reasons as stated with respect to overcoming the rejection of claim 1, claim 13 is believed allowable and an early formal notice thereof is requested. The 35 U.S.C. §102(b) rejection thereof has now been overcome.

Rejection under 35 U.S.C. §103

Claims 4 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over **Clark** and in view of Selinfreund (U.S. Pat. Pub. No. 20050050343; hereafter “**Selinfreund**”). This rejection is traversed for at least the following reason. Claims 4 and 9 depend from and further limit allowable independent claim 1 and therefore is allowable as well. The rejection thereof has now been overcome.

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over **Clark** in view of **Selinfreund**, and in further view of Pan et al. (U.S. Pat. No. 6,707,479; hereafter “**Pan**”). This rejection is traversed for at least the following reason. Claim 10 depends from and further limits allowable independent claim 1 and therefore is allowable as well. The rejection thereof has now been overcome.

Conclusion

Except as indicated herein, the claims were not amended in order to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents. Applicants furthermore reserve their right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or

a continuation application. In addition, the Office Action contains a number of statements characterizing the claims, the specification, and the prior art. Regardless of whether such statements are addressed by Applicant, Applicant refuses to subscribe to any of these statements, unless expressly indicated by Applicant.

The matters identified in the Office Action of August 1, 2011 are now believed resolved. Accordingly, the application is believed to be in proper condition for allowance. The amendments herein are fully supported by the original specification and drawings; therefore, no new matter is introduced. Issuance of an early formal notice of allowance of claims 1-13 is requested.

Respectfully submitted,

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